

Liability immunity for sheriffs overseeing inmate work programs

SB 791 by Tejeda/Madla

- DIGEST:** SB 791 would have granted immunity from civil liability to sheriffs who allow inmates in county jails awaiting transfer to the state prison system to participate in county work programs. A sheriff or sheriff's employee would not have been liable for damages arising from an act or failure to act if performed in an official capacity.
- GOVERNOR'S REASON FOR VETO:** "The liability issue addressed in this legislation has been addressed more comprehensively in HB 154, already passed into law. This bill is not as conducive to the operations of the community work service programs and singles out county sheriffs for protection from liability in instances where there is no demonstrable showing of a public need for that removal of liability."
- RESPONSE:** Sen. Frank Tejeda, author of SB 791, had no comment.
- NOTES:** SB 791 passed the House on the Consent Calendar and was not analyzed in a *Daily Floor Report*. HB 154 by Taylor et al., which grants liability immunity under specified circumstances to certain officials and employees involved in supervising inmates performing manual labor, was analyzed in the March 3 *Daily Floor Report* and takes effect August 26, 1991.